

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

LEE MAX BARNETT,

Petitioner, No. CIV S-99-2416 DFL CMK DP

vs. DEATH PENALTY CASE

ROBERT WONG, Warden, ORDER

Respondent.

Petitioner, a state prisoner proceeding with appointed counsel, brings this petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. A case management conference in this matter is scheduled for August 21, 2006.

IT IS ORDERED THAT the hearing set for August 21, 2006 is vacated; the case management conference is rescheduled to September 6, 2006 at 10:00 a.m before the undersigned at the United States District Court, Redding, California. All other dates in the June 5, 2006 order (doc. 191) remain unchanged.

On March 10, 2006¹, the Ninth Circuit entered judgement affirming the judgment of the district court that petitioner's federal habeas petition be held in abeyance pending the

¹The March 10, 2006 judgment was docketed in this case on April 4, 2006. (Doc. 178.)

1 exhaustion of his claims in state court. The court will now require petitioner to file a status report
2 following resolution of his claims by the state court.

3 Accordingly, IT IS HEREBY ORDERED that petitioner shall file a status report
4 within 20 days after resolution of petitioner's claims by the state court.

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6 DATED: July 18, 2006.

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8 CRAIG M. KELLISON
9 UNITED STATES MAGISTRATE JUDGE

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